

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CYNTEC COMPANY, LTD.,

Plaintiff,

v.

CHILISIN ELECTRONICS CORP.,
CHILISIN AMERICA LTD.,

Defendants.

CASE NO.: 4:18-cv-00939-PJH

~~PROPOSED~~ JUDGMENT FOLLOWING JURY VERDICT

This action came before the Court for a trial by jury beginning August 23, 2021. The jury rendered its verdict on September 1, 2021. The verdict was accompanied by the joint verdict form (D.I. 269), a copy of which is attached hereto as Exhibit A.

On August 31, 2021, the Court issued an oral Order, *inter alia*, granting Plaintiff's motion for judgment as a matter of law of no invalidity of U.S. Patent Nos. 8,922,312 and 9,481,037.

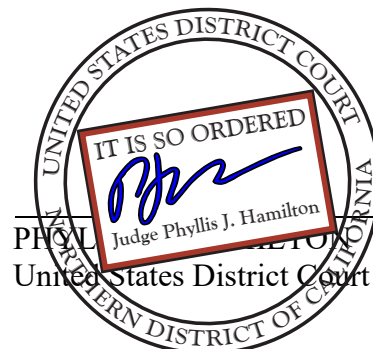
IT IS HEREBY ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of the Plaintiff on the September 1, 2021 verdict as set forth in the attached verdict form and in the Court's August 31, 2021 Order.

IT IS FURTHER NOTED that this Judgment Following Jury Verdict is subject to revision pursuant to any rulings on post-trial motions and/or motions regarding non-jury legal issues.

IT IS SO ORDERED AND ADJUDGED.

September 24, 2021.

By:



PHYLIS J. HAMILTON
United States District Court Judge

EXHIBIT A

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Defendants.

CASE NO.: 4:18-cv-00939-PJH

JOINT VERDICT FORM

Trial Date: August 23, 2021

Time: 8:30 a.m.

Location: Courtroom 3, 3rd Floor

Judge: Hon. Phyllis J. Hamilton

Instructions: When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Please refer to the Jury Instructions for guidance on the law applicable to the subject matter covered by each question.

QUESTIONS AND ANSWERS

We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this court as our verdict in this case:

U.S. PATENT NO. 8,922,312 (THE '312 PATENT)

FINDINGS ON INFRINGEMENT CLAIMS

A. Direct Infringement

1. Has Cyntec proven that it is more likely than not that any Chilisin product infringes any of the following claims of the '312 Patent?

Answer the question regarding infringement of the following claims of the '312 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff Cyntec. "No" is a finding for Defendant Chilisin.

Claim 1	Yes <u>X</u>	No _____
Claim 2	Yes <u>X</u>	No _____
Claim 5	Yes <u>X</u>	No _____
Claim 8	Yes <u>X</u>	No _____
Claim 10	Yes <u>X</u>	No _____
Claim 18	Yes <u>X</u>	No _____

B. Inducing Infringement

2. Has Cyntec proven that it is more likely than not: (i) that a third party direct infringer infringed any of the following claims of the '312 Patent; (ii) that Chilisin took action that actually induced that infringement by the third party direct infringer; and (iii) that Chilisin was aware of the patent and believed that its actions would encourage

infringement of a valid patent, or alternatively that it was willfully blind as to whether its actions would encourage infringement of the patent?

Answer the question regarding infringement of the following claims of the '312 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff Cyntec. "No" is a finding for Defendant Chilisin.

Claim 1	Yes <u>X</u>	No _____
Claim 2	Yes <u>X</u>	No _____
Claim 5	Yes <u>X</u>	No _____
Claim 8	Yes <u>X</u>	No _____
Claim 10	Yes <u>X</u>	No _____
Claim 18	Yes <u>X</u>	No _____

C. Willful Infringement

3. Has Cyntec proven that it is more likely than not that to the extent Chilisin infringed, the infringement was willful?

"Yes" is a finding for Plaintiff Cyntec. "No" is a finding for Defendant Chilisin.

Yes X No _____

U.S. PATENT NO. 9,481,037 (THE '037 PATENT)**FINDINGS ON INFRINGEMENT CLAIMS****A. Direct Infringement**

4. Has Cyntec proven that it is more likely than not that any Chilisin product infringes any of the following claims of the '037 Patent?

Answer the question regarding infringement of the following claims of the

'312 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff

Cyntec. "No" is a finding for Defendant Chilisin.

Claim 9 Yes X No _____

Claim 12 Yes X No _____

B. Inducing Infringement

5. Has Cyntec proven that it is more likely than not: (i) that a third party direct infringer infringed any of the following claims of the '037 Patent; (ii) that Chilisin took action that actually induced that infringement by the third party direct infringer; and (iii) that Chilisin was aware of the patent and believed that its actions would encourage infringement of a valid patent, or alternatively that it was willfully blind as to whether its actions would encourage infringement of the patent?

Answer the question regarding infringement of the following claims of the

'037 Patent with a "Yes" or "No." "Yes" is a finding for Plaintiff

Cyntec. "No" is a finding for Defendant Chilisin.

Claim 9 Yes X No _____

Claim 12 Yes X No _____

C. Willful Infringement

6. Has Cyntec proven that it is more likely than not that to the extent Chilisin infringed, the infringement was willful??

"Yes" is a finding for Plaintiff Cyntec. "No" is a finding for Defendant

Chilisin.

Yes X No _____

FINDINGS ON DAMAGES (IF APPLICABLE)

7. What lost profits, if any, did Cyntec prove it more likely than not suffered as a result of sales that it would with reasonable probability have made but for Chilisin's infringement?

\$ 1,552,493

8. For those infringing sales for which Cyntec has not proved its entitlement to lost profits, what has it proved it is entitled to as a reasonable royalty:

Royalty Rate 5 % Damages \$ 320,463

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict form in the spaces below and notify the court personnel that you have reached a verdict. The Presiding Juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

DATE: 9/1/2021

PRESIDING JUROR SIGNATURE: 